

REMARKS

STATUS OF THE CLAIMS

In accordance with the foregoing, claims 1, 6, 8, 10, 12 and 14 have been amended. Claims 5, 7, 9, 11, 13 and 15 have been cancelled. Claims 1-4, 6, 8, 10-12 and 14 are pending and under consideration.

No new matter is being presented and approval of the amended claims is respectfully requested.

REJECTIONS OF CLAIMS 5, 7, 9, 11, 13 AND 15 UNDER 35 U.S.C. §102(e) AS BEING ANTICIPATED BY SUSSKIND (U.S. 2003/0095791)

Independent claims 5, 7, 9, 11, 13 and 15 are cancelled herein and, therefore, the rejections thereof are considered moot.

REJECTIONS OF CLAIMS 1-4, 6, 8, 10, 12 AND 14 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER SUSSKIND IN VIEW OF MAISSEL ET AL. (U.S. 2003/0088872)

The rejections of claims 1-4, 6, 8, 10, 12 and 14 are respectfully traversed and reconsideration is requested.

Maissel is directed to a system by which a program guide is customized according to a user's preference. Maissel teaches the function of reporting the necessity of recording a program that the user may want to record. Maissel, however, neither teaches nor suggests the procedure by which a notice is sent to the user so as to obtain permission from the user.

Susskind is directed to a system that allows a user to set or modify, via the Internet, information about programmed recordings managed by a server. Thereby, the user is allowed to control the functions of a recording device located at a remote site.

On page 5 of the Action, the Examiner states that it would have been obvious to one of ordinary skill in the art to modify the system of Susskind to include the sending of a message via email to the mobile communication terminal of the user, as taught by Maissel. However, in Susskind, the basic premise is that the modification of information regarding programmed recordings is performed by the user. Thus, there is no need or motivation to send an email to the user to ask for the user's determination and permission. Accordingly, it would be meaningless to combine the system of Susskind with the email-based notice function of Maissel.

Furthermore, independent claim 1, as amended, recites collecting alteration information *unknown to the user*, sending a message via email to a mobile communication terminal of the user; and altering the control information based on the alteration information in response to permission sent from the mobile communication terminal of the user *responding to the message*.

Therefore, even if the system of Susskind is combined with the email-based notice function of Maissel, the combination still does not teach all of the features of amended independent claim 1. That is, the cited references do not teach or even suggest collecting alteration information that is unknown to the user and altering the control information based on permission sent by the user responding to an email message sent to a mobile communication terminal of the user.

Therefore, it is respectfully submitted that claim 1 patentably distinguishes over the prior art.

Claims 2-4 depend from claim 1 and inherit the patentable recitations thereof. Thus, it is respectfully submitted that dependent claims 2-4 also patentably distinguish over the prior art.

Independent claims 6, 8, 10, 12 and 14 are amended herein to recite receiving/collecting the control information altered based on alteration information, unknown to a user, for altering the control information on a transmission side, sending a message via email to a mobile communication terminal of the user and altering the control information based on the alteration information in response to permission sent from the mobile communication terminal of the user responding to the message, after collecting the alteration information.

Therefore, for at least the reasons provided above for independent claim 1, it is respectfully submitted that amended independent claims 6, 8, 10, 12 and 14 patentably distinguish over the prior art.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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